

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KEITH C. BACHTELL and RENEE	:	Civil No. 1:18-cv-02292
D. BACHTELL, as Administrators of	:	
the Estate of Jamison Taylor Bachtell,	:	
dec'd and in their own right,	:	
Plaintiffs,	:	
v.		
GENERAL MILLS, INC. and	:	
SIGNATURE BRANDS LLC,	:	
Defendants/	:	
Third Party Plaintiffs.	:	
v.		
FLAIR FLEXIBLE PACKAGING	:	
CORPORATION and MANTO	:	
INTERNATIONAL LIMITED	:	
Third-Party Defendants	:	Judge Sylvia H. Rambo

ORDER

In accordance with the accompanying memorandum of law, **IT IS HEREBY ORDERED** as follows:

- 1) Third-Party Defendant Flair Flexible Packaging Corporation's ("Flair") motion to dismiss (Doc. 24) is **GRANTED IN PART** in that the court dismisses, with prejudice, Signature Brand LLC's ("Signature") claims for indemnification regarding Plaintiffs' wrongful death, survival, negligent infliction of emotional distress, and breach of express warranty claims. The motion is **DENIED IN PART** regarding

Signature's claims for indemnification regarding Plaintiff's breach of implied warranty of merchantability, breach of implied warranty of fitness for a particular purpose, failure to warn, and strict product liability claims.

- 2) The court **STRIKES** paragraph nineteen from Signature's third-party complaint (Doc. 19).
- 3) The court **GRANTS** Signature leave to file an amended third-party complaint repleading its request that Flair be deemed jointly-and severally liable as a remedy to its contribution claim. Signature has twenty-one days from entry of this order to amend its third-party complaint in such a manner.

/s/ Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: October 1, 2019